**DECLARATION AND POWER OF ATTORNEY***EE3*

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MULTI-TEMPERATURE PROCESSING** the specification of which \_\_\_\_\_ is attached hereto or X was filed on September 10, 1998 as Application No. 09/151,163 and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

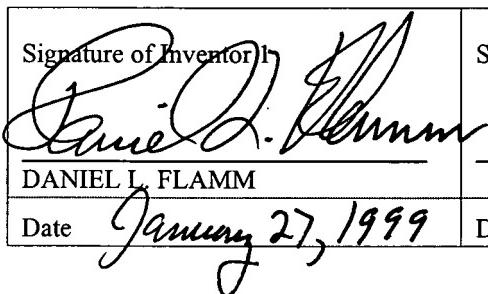
Richard T. Ogawa , Reg. No.  
William J. Bohler , Reg. No. 31.487

Send Correspondence to:  Richard T. Ogawa	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)
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<b>TOWNSEND and TOWNSEND and CREW LLP</b> <b>Two Embarcadero Center, 8<sup>th</sup> Floor</b> <b>San Francisco, California 94111-3834</b>	Name: Richard T. Ogawa Reg. No.: 37,692 Telephone: 650-324-6361
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Full Name of Inventor 1:	Last Name: FLAMM	First Name: DANIEL	Middle Name or Initial: L.
Residence & Citizenship:	City: Walnut Creek	State/Foreign Country: CA	Country of Citizenship: US
Post Office Address:	Post Office Address: 476 Green View Drive	City: Walnut Creek	State/Country: CA      Postal Code: 94596

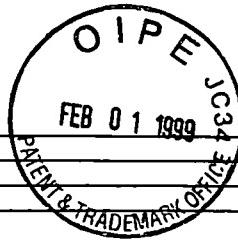
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  DANIEL L. FLAMM	Signature of Inventor 2 _____	Signature of Inventor 3 _____
Date <u>January 27, 1999</u>	Date	Date

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b)) - INDEPENDENT INVENTOR**

Applicant or Patentee:  
Application or Patent No.:  
Filed or Issued:  
Title:

Daniel L. Flamm  
09/151,163  
September 10, 1998  
MULTI-TEMPERATURE PROCESSING



As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office regarding the invention entitled MULTI-TEMPERATURE PROCESSING described in:

- the specification filed herewith;  
 Application No. 09/151,163, filed September 10, 1998  
 Patent No. \_\_\_\_\_, issued \_\_\_\_\_

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I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below.\*

- No such person, concern or organization.  
 Persons, concerns or organizations listed below.\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name:  
Address:

Individual       Small Business Concern       Nonprofit Organization

Name:  
Address:

Individual       Small Business Concern       Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Inventor	Name of Inventor	Name of Inventor
Daniel L. Flamm		
Signature of Inventor 	Signature of Inventor	Signature of Inventor
Date January 27, 1999	Date	Date